

Docket No. 01058

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ting WANG, Glendon A. McCONNELL & Meng-Jiao WANG

SERIAL No.: 10/039,774

CONFIRMATION No. 9156

FILED: 9 NOVEMBER 2001

For: "ELASTOMER COMPOSITE MATERIALS IN LOW DENSITY FORMS AND METHODS"

The Commissioner of Patents
Washington, D.C. 20231
Attn: Box Missing Parts

PETITION UNDER 37 CFR 1.47(a)

Dear Sir:

Petition is hereby made for filing the above-identified application when one of the joint inventors, namely: Glendon A. McConnell, refuses to sign and/or cannot be found.

Mr. McConnell was an employee of Cabot Corporation ("Cabot") at the time the invention was made. A copy of the confidentiality and proprietary rights letter agreement that Mr. McConnell signed with Cabot on or about the time he became a Cabot employee is attached hereto as Exhibit A. Mr. McConnell resigned from Cabot, effective 1 March 2002.

On 21 March 2002, Mr. McConnell sent an e-mail to Mr. Louis Grasso of Cabot's Human Resource Department to provide Cabot with his forwarding address:

3031 La Salle Avenue
Apt. #4
Rockford, Illinois 61114

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper (along with any document or paper referred to herein) is being deposited with the United States Postal Service on this date, **12 July 2002**, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 886 078 783 US**, addressed to: Box Missing Parts, The Commissioner for Patents, Washington, D.C. 20231.

07/17/2002 AMONDAF1 00000040 030060 10039774

06 FC:122 130.00 CH

Ellen R. Ringland

Name of person mailing paper

Signature

RECEIVED

JUL 18 2002

OFFICE OF PETITIONS

(A copy of the e-mail is attached hereto as Exhibit B.)

On 30 May 2002, the undersigned attorney sent a letter to Mr. McConnell, at the above-stated address, by "Express Mail Post Office to Addressee," requesting signature of the *Declaration and Power of Attorney and Assignment* for the above-identified patent application and enclosing a copy of the above-identified patent application with the *Declaration and Power of Attorney and Assignment* therefor. The Express Mail package was delivered to on 31 May 2002 to Keith McConnell, who signed for the package. (A copy of the letter and enclosures, Express Mail mailing label, and signed delivery receipt are attached hereto as Exhibit C.)

When no reply was received after about two weeks, a follow-up letter was sent by the undersigned attorney to Mr. McConnell at the same address by FedEx on 13 June 2002. According to the FedEx tracking information, the FedEx package was delivered to a different address and signed for by D. Sengulb on 14 June 2002. (A copy of the letter, FedEx shipment details, and tracking report for delivery of the package is attached hereto as Exhibit D.)

When no reply was received after one additional week, an e-mail was sent to Mr. McConnell by the undersigned attorney on 21 June 2002 at the e-mail address shown on Exhibit B, to follow up on the earlier letters that were sent. (A copy of the e-mail is attached hereto as Exhibit E.)

In a call to directory assistance to obtain telephone information for a listing under "McConnell" on "LaSalle Avenue" in "Rockford, Illinois", the undersigned attorney received a recording that, at the customer's request, that number is nonpublished and not listed in their records.

To date, no reply has been received by the undersigned attorney to any of the letters or e-mail sent to Mr. McConnell.

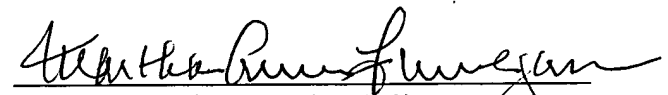
It is respectfully requested that this Petition be granted and that the *Declaration and Power of Attorney* executed by Ting Wang and Meng-Jiao Wang, and unsigned by Glendon A.

McConnell (and setting forth his last known address and citizenship) be accepted in satisfaction of the requirements of 37 C.F.R. 1.47(a).

Please charge the Petition fee of One Hundred Thirty Dollars (\$130.00) and any other fee that may be due in connection with this Petition to Deposit Account 03-0060. (A duplicate of this Petition (without attachments) is enclosed.)

Respectfully submitted,

Date: 12 July 2002


Martha Ann Finnegan (31,453)
Attorney for Applicants

CABOT CORPORATION
157 Concord Road
Billerica, Massachusetts 01821
Tel. No. (978) 670-6198
Fax No. (978) 670-8027